

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>TAM C. NGUYEN</b>	:	<b>CIVIL ACTION</b>
	:	
	:	
<b>v.</b>	:	<b>NO. 09-4977</b>
	:	
<b>LOUIS FOLINO, et al</b>	:	
<b>Defendant</b>	:	

**ORDER**

**AND NOW**, this 29th day of June, 2011, upon *de novo* consideration of the Petition for Writ of Habeas Corpus filed under 28 U.S.C. § 2254, and the Response thereto, and after review of the thorough and well-reasoned Report and Recommendation of United States Magistrate Judge L. Felipe Restrepo and the petitioner's objections to the Report and Recommendation, it is hereby ORDERED that:

1. Petitioner's objections to the Report and Recommendation are OVERRULED;
2. The Report and Recommendation is APPROVED and ADOPTED.
3. The petition for Writ of Habeas Corpus is DENIED.
3. A certificate of appealability shall not issue since, for the reasons set forth in the Report and Recommendation, petitioner has not made a substantial showing of the denial of a constitutional right.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.